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8 UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF CALIFORNIA

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11 UNITED STATES OF AMERICA,

No. 2:12-CR-0369 JAM

12 Plaintiff,  
13 v.

No. 2:99-CR-0401 JAM  
**STIPULATION AND ORDER TO  
CONTINUE STATUS CONFERENCE**

14 EDWIN WILLIAM BALERO,  
15 Defendant.

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17 The defendant, EDWIN BALERO, through his undersigned  
18 counsel, and the United States, through its undersigned counsel,  
19 hereby agree and request that the status conference currently set  
20 for Tuesday, October 15, 2013 at 9:45 am be vacated and continued  
21 until Tuesday, November 5, 2013 at 9:45 am.

22 A continuance is necessary because defense counsel is  
23 unavailable on October 15, 2013 as he will be attending a  
24 funeral. A continuance is also necessary to provide the parties  
25 with additional time for case preparation and ongoing plea and  
26 sentencing negotiations.

27 The parties stipulate that time should be excluded under the  
28 Speedy Trial Act to allow the defendant continuity of counsel and

1 to provide the parties additional time for case preparation and  
2 ongoing plea and sentencing negotiations. Local Code T4 & 18  
3 U.S.C § 3161 (h)(7)(B)(iv).

4 I, William E. Bonham, the filing party, have received  
5 authorization from AUSA Michael McCoy to sign and submit this  
6 stipulation and proposed order on his behalf.

7 Accordingly, the defense and the United States agree and  
8 stipulate that the status conference for defendant EDWIN BALERO,  
9 should be continued until Tuesday, November 5, 2013 at 9:45 am.  
10 The parties stipulate that the ends of justice served by granting  
11 this continuance outweigh the best interests of the public and  
12 defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

13 Dated: October 11, 2013

BENJAMIN B. WAGNER  
United States Attorney

15 By:/s/ WILLIAM E. BONHAM for  
16 MICHAEL MCCOY  
17 Assistant U.S. Attorney

18 Dated: October 11, 2013

20 By:/s/ WILLIAM E. BONHAM for  
21 WILLIAM E. BONHAM  
Counsel for Defendant  
22 EDWIN BALERO

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## ORDER

2 IT IS SO ORDERED. The status conference for defendant, EDWIN  
3 BALERO, currently set for Tuesday, October 15, 2013 at 9:45 am  
4 should be vacated and continued to Tuesday, November 5, 2013 at  
5 9:45 am.

I find that the continuance is necessary to allow the defendant continuity of counsel and due to the needs of counsel for continued case preparation and plea/sentencing negotiations. Accordingly, time is excluded under the Speedy Trial Act, due to needs of counsel for additional case preparation and ongoing plea/ sentencing negotiations, from October 15, 2013 up to and including November 5, 2013 pursuant to Local Code T4 and 18 U.S.C. § 3161(h)(7)(B)(iv). I find that the ends of justice served by granting this continuance outweigh the best interest of the public and defendant in a speedy trial. 18 U.S.C. § 3161(h) (7)(A).

17 || Dated: October 11, 2013

/s/ John A. Mendez  
HON. JOHN A. MENDEZ  
U.S. DISTRICT COURT JUDGE